

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Martin BERG et al ATTY. DOC. NO.: P04,0298
SERIAL NO.: 10/505,237
FILED: April 7, 2005
INVENTION: "PRINTING DEVICE AND METHOD, IN WHICH A HUMIDITY
PROMOTER IS APPLIED PRIOR TO THE INK-REPELLENT
OR IN-RECEPTIVE LAYER"

MAIL STOP PCT

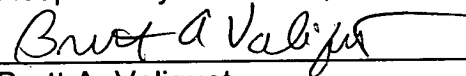
Commissioner for Patents,
P. O. Box 1450
Alexandria, Virginia 22313-1450

**SUBMITTAL OF ENGLISH TRANSLATION OF INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

S I R:

Please find attached an English Translation of the International Preliminary
Examination Report for the above-identified PCT application.

Respectfully submitted,

 (Reg. No. 27,841)

Brett A. Valiquet
SCHIFF HARDIN LLP - Patent Department
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 258-5786
Attorneys for Applicant
CUSTOMER NO. 26574

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United
States Postal Service as First Class Mail in an envelope addressed to

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450
CUSTOMER NO. 26574

DATE: May 24, 2005


BRETT A. VALIQUET

From the INTERNATIONAL BUREAU

PCTNOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 72.2)

To:

SCHAUMBURG, Karl-Heinz
Postfach 86 07 48
81634 München
ALLEMAGNE**EINGEGANGEN****25. April 2005****Erled.**Date of mailing (*day/month/year*)
21 April 2005 (21.04.2005)Applicant's or agent's file reference
2002-0203 P**IMPORTANT NOTIFICATION**International application No.
PCT/EP2003/001496International filing date (*day/month/year*)
14 February 2003 (14.02.2003)

Applicant

OCÉ PRINTING SYSTEMS GMBH et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

None

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP, JP, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yolaine Cussac

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 70 80

Translation

PATENT COOPERATION TREATY

PCT/EP2003/001496



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002-0203 P	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/001496	International filing date (<i>day/month/year</i>) 14 February 2003 (14.02.2003)	Priority date (<i>day/month/year</i>) 19 February 2002 (19.02.2002)
International Patent Classification (IPC) or national classification and IPC B41N 3/00, B41C 1/10		
Applicant OCÉ PRINTING SYSTEMS GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 12 June 2003 (12.06.2003)	Date of completion of this report 24 May 2004 (24.05.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/001496

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 1-24, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-19, filed with the letter of 28 April 2004 (28.04.2004)
- ☒ the drawings:
 pages 1/6-6/6, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

- These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/01496

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3-6, 11, 14-17	YES
	Claims	1-2, 7-10, 12, 13, 18, 19	NO
Inventive step (IS)	Claims		YES
	Claims	1-19	NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations

D1: WO 98 32608 A

D2: EP-A-0 570 879

D3: EP-A-0 693 371

1. The subject matter of independent claims 1 and 12 does not appear to be novel (PCT Article 33(2)).

D1 describes a method which contains all the steps of the present claim 1 (see D1: page 1, lines 5-19; page 3, line 15 to page 5, line 5; page 6, line 10 to page 8, line 20). In D1, the ink-repellent layer is, for example, a layer of ice.

D1 does not mention the thickness of the surfactant layer. However, it is implicit that this layer is extremely thin, i.e. is of molecular dimension, since it is generally known that a surfactant requires only a very thin amount of coating, <0.1 µm, so as to achieve the desired wetting. The present claim 1 does not exclude that, between the application of the water layer (dampening agent) and the structuring process, the layer be frozen as in D1 (see D1, page 3, lines 15-20).

D1 likewise mentions that a method is known in which steam is applied to a print carrier and hydrophilic areas are formed corresponding to the structures of an image that is to be printed. In other words, the structuring process as

described in claim 1 is known.

2. D1 likewise describes a device comprising means with which the steps as described in the present claim 1 can be carried out.

3. The additional properties of the present dependent claims 2, 7-10, 12, 13, 18 and 19 are likewise described in D1 and therefore the subject matter of said claims likewise does not appear to be novel (PCT Article 33(2)) over D1:

Claim 2: the layer in D1 is an ice layer, that is, based on water

Claims 7, 8: see D1, page 6, line 34

Claim 9: see D1, page 4, line 26

Claim 10: see D1, figures 1 and 2.

4. The additional properties of the present dependent claims 3-6, 11 and 14-17 do not appear to solve any additional problem in an unexpected manner. The subject matter of these claims therefore does not appear to be inventive (PCT Article 33(3)).

5. The subject matter of the present claim 1 differs from D2 (column 2, line 1 to column 2, line 46, figure 2) in that a separate hydrophilisation takes place by the application of a surfactant layer. The subject matter of the present claim 12 differs from D2 (column 1, line 1 to column 2, line 46, figure 2) in that means are provided for carrying out a separate hydrophilisation by the application of a surfactant layer.